

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

L.F.P. IP, LLC, et al.,

Plaintiffs,

vs.

HUSTLER CINCINNATI, INC., et al.,

Defendants.

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: CASE NO.
: 1:09cv913
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Deposition of: CHARLES STEVEN CHUKE

Taken: By the Plaintiffs
Pursuant to Notice

Date: January 10, 2011

Time: Commencing at 1:32 p.m.

Place: Reminger Co., LPA
525 Vine Street
Suite 1700
Cincinnati, Ohio 45202

Before: Wendy L. Raymer, RPR, CRR
Notary Public - State of Ohio

 ORIGINAL

1 APPEARANCES:

2
3 On behalf of the plaintiffs:

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11 On behalf of the defendants:

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I N D E X

CHARLES STEVEN CHUKE

PAGE

Examination by Ms. Lenhart

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(No exhibits.)

- - -

1 CHARLES STEVEN CHUKE
2 of lawful age, a witness herein, being first duly
3 sworn as hereinafter certified, was examined and
4 deposed as follows:

5 EXAMINATION
6 BY MS. LENHART:

7 Q. Good morning, Mr. Chuke. I'm Amanda
8 Lenhart. I represent Larry Flynt, L.F.P., Inc., and
9 L.F.P. IP, LLC in this litigation. Have you ever had
10 your deposition taken before?

11 A. On something else, maybe. I don't know
12 what it would be.

13 Q. You don't remember?

14 A. No. It might have been on something --
15 nothing -- nothing this big.

16 Q. Well, if -- since you've probably been
17 through the process, just a few ground rules. Let me
18 finish asking a question before you answer, and that
19 way the court reporter can take down everything
20 accurately, and I will try my best to do the same for
21 you. If I interrupt you, I apologize, and I'll try
22 not to do that.

23 You're nodding your head now. If I ask
24 you a question, it does require an audible response.
25 It's just human nature to sort of do that. Uh-huhs

1 and uh-uhs can't be properly recorded on a
2 transcript, so just be mindful of that. So if you do
3 say that, I might follow up with, "Is that a yes or
4 no?"

5 A. That's a yes.

6 Q. If you need a break, I would request that
7 you answer any question that's pending. Otherwise,
8 feel free to tell me if you need a break. This is
9 not an endurance contest, and I don't expect to take
10 too long.

11 If you could just let me know your highest
12 level of education that you've obtained.

13 A. Actually, I probably had a year in college
14 and also graduated from high school.

15 Q. Where did you go to college?

16 A. I went to Northern Kentucky University.

17 Q. When was that?

18 A. It was about -- I'm sorry, not Northern
19 Kentucky University. You're getting me confused
20 here, I apologize. I went to Thomas -- not Thomas
21 More -- wait a minute, I'm thinking of -- of a --
22 not -- okay. I went to Thomas More for studying
23 something, but I didn't finish it, so I don't -- I
24 don't claim that. But I went to a body shop school,
25 it's over in Covington, about -- it was probably

1 right after I got out of high school.

2 Q. And when was that?

3 A. That would have been, I'm sorry, '65, '66.

4 Q. And after graduating from high school,

5 what was your employment history?

6 A. Employment history as far as --

7 Q. Just the various jobs that you've held

8 since approximately 1966.

9 A. Well, I had a lot of jobs before that,
10 too. I set up bowling pins. I did a lot of labor

11 work. I ran -- I was helping with a bowling alley
12 when I was a kid, also odd jobs here and there.

13 The -- God, you caught me with some strange questions
14 here now. I've been a jeweler -- a jeweler repairman
15 since '66 on up.

16 And then I met Larry -- or I actually met
17 Jimmy first with -- a fellow named Jack Young
18 introduced me to him. He used to own Tri-City Auto
19 -- or Tri-City Yacht Club, and he took me over to the
20 Hustler and introduced me to Jimmy. And then Jimmy
21 hired me and introduced me to Larry.

22 Q. When was that?

23 A. That would have been '70, late '70.

24 Q. And who -- when I say "who," what company
25 formerly employed you?

1 A. I worked at seven different jewelry
2 places. They weren't stores, they were repair shops,
3 in Cincinnati -- gosh.

4 Q. Well, just to be -- I'm sorry, I don't
5 need that information. I'm specifically focusing on
6 when you met Jimmy and Larry Flynt, that you were
7 hired. What company or business hired you? Was it
8 Larry Flynt, Hustler, Flynt --

9 A. It would have been Hustler, yeah, okay.
10 I'm getting confused.

11 Q. Okay.

12 A. It would have been Jimmy Flynt that hired
13 me.

14 Q. But Hustler was your employer?

15 A. Yes.

16 Q. And what did Hustler do?

17 A. They had -- had girls. They had, like, 14
18 to 16 girls average, not every day, but probably, you
19 know -- sometimes it would be a normal ten or twelve
20 girls a day, I think it was, you know, three or four
21 during the day and seven or eight at night. It would
22 -- you know, on Fridays and Saturdays we would be
23 more busier.

24 Q. And these were dancers?

25 A. Dancers, yes.

1 Q. And Hustler was a gentleman's club --

2 A. Yes, it was.

3 Q. -- or bar?

4 A. Bar, entertainment, yeah.

5 Q. And where was it located?

6 A. It was located on Walnut Street, downtown
7 Cincinnati.

8 Q. Are you from Cincinnati?

9 A. No, sir -- no, ma'am.

10 Q. Where are you from?

11 A. I am from Clay County, Oneida, Kentucky.

12 Q. When did you move to Cincinnati?

13 A. I never lived in Cincinnati.

14 Q. So you worked in Cincinnati?

15 A. I worked in Cincinnati.

16 Q. And where did you live at that time?

17 A. At that time, I lived at the Vahalla
18 Apartments in Southgate, I think.

19 Q. How long did you work at the Hustler on
20 Walnut?

21 A. About almost, I'd say, '70 -- late '70 to
22 '74.

23 Q. And what was your job?

24 A. I started out as a doorman, then I became
25 assistant manager, then I became manager, and then I

1 became district manager.

2 Q. So you were a doorman and manager of the
3 Hustler Bar on Walnut, and then you just identified
4 yourself as a district manager. What did that mean?

5 A. I became a manager. I was a -- I was a
6 doorman, assistant manager, then manager, then
7 district manager.

8 Q. What's a district manager?

9 A. He makes sure -- he travels around to, you
10 know, the nightclubs. There's two more nightclubs in
11 Dayton, Ohio, one was Whatever Is Right and the
12 Dayton Hustler, and you just -- you made all -- sure
13 all three were running okay. You would go in and
14 check on the managers, whoever was running the bar,
15 you know, and see who was working right and not
16 working right.

17 Q. Who promoted you over the course of those
18 years?

19 A. Promoted me?

20 Q. Yes.

21 A. As far as?

22 Q. Well, who gave you the various job titles?

23 A. Jimmy Flynt.

24 Q. Did you report directly to Jimmy Flynt?

25 A. Uh-huh.

1 Q. Is that a yes?

2 A. Yes, ma'am. I'm sorry.

3 Q. And who did Jimmy Flynt report to?

4 A. I don't think Jimmy Flynt reported to
5 anybody, you know, about me, unless he -- he might
6 have been -- if you're referring to Larry Flynt,
7 he -- if they -- if those guys were sitting down
8 eating, or they were across the street at Batsakes,
9 they might be talking about me or something, you
10 know, but everything they ever did was together.

11 Q. How much interaction did you have with
12 Larry Flynt at that time?

13 A. Not that much. Larry called me from Los
14 Angeles in 1973, asked me how I was doing.

15 Q. Was he living in Los Angeles at that time?

16 A. I think that's where he -- yeah. He moved
17 his office from Columbus to Los Angeles at that time,
18 I'm pretty sure it was.

19 Q. You think that was in the 1970s?

20 A. Yes, ma'am.

21 Q. What other type of interaction did you
22 have with Larry Flynt while you worked for Hustler?

23 A. Sexual things.

24 Q. Can you elaborate on that?

25 A. We talked about girls. I mean, you know,

1 we talked about what girl was good and what girl
2 was -- you know, we all did. We all -- it was what
3 was going on back in them days.

4 Q. Was he at the bars that you worked in
5 regularly?

6 A. No.

7 Q. Where was he?

8 A. He was up in the Columbus area, that's
9 where he stayed mostly, once he got that going.

10 Q. Where did Jimmy Flynt live at that time?

11 A. I think Jimmy had an apartment in Dayton,
12 Ohio, and he would travel back and forth. And he
13 would put himself in between Dayton, Cincinnati, and
14 Columbus, and also Toledo and Cleveland and Akron.

15 Q. Now, were the bars that you managed
16 limited to the ones in Dayton and Cincinnati?

17 A. Uh-huh.

18 Q. Was that a yes?

19 A. Yes. I'm sorry.

20 Q. You talked about having some interaction
21 with Larry Flynt, when he called you from California,
22 as well as talking about the quality of the dancers.
23 Can you approximate how frequent those discussions
24 were?

25 A. Just that one time.

1 Q. The one time regarding the dancers?

2 A. Uh-huh.

3 Q. That's a yes?

4 A. Yes. I apologize.

5 Q. So during the course of your employment
6 with Hustler, you spoke with Larry Flynt
7 approximately two times?

8 A. No. I spoke to him more than that when he
9 came into town. Jimmy -- when they came into town,
10 when Jimmy and Larry came into town, they would have,
11 you know, different entertainers that they would talk
12 to and bring into town. I had to go pick them up at
13 the airport. Jimmy gave me a brand new '73 Cadillac.

14 Q. When you talked with Jimmy Flynt, was
15 Larry Flynt always there?

16 A. No.

17 Q. How often would Larry Flynt not be present
18 when you were talking with Jimmy Flynt?

19 A. Not very often, not -- he -- he just
20 wasn't there, you know. He was -- him and Jimmy,
21 whenever -- they both were out -- and I got to say
22 this. They both were out getting these other
23 nightclubs going. They couldn't do one without the
24 other. But Jimmy would be -- I guess it was his
25 district, Cincinnati, and Jimmy would come down and

1 tell me what to do. And, you know, I learned a lot
2 of things off of Jimmy.

3 Q. Can you approximate how much -- or how
4 many times Jimmy came down to Cincinnati or the
5 Dayton clubs where you worked and gave you
6 instruction?

7 A. It would be awful tough, but I would say
8 he would come down -- he would -- once I got things
9 going, he would come down, like, once a month, twice
10 a month, something like that.

11 Q. And the same question for Larry Flynt.

12 A. I never seen Larry, you know, but I talked
13 to him on the phone once in a while, like you said,
14 but nothing -- he would ask me questions.

15 Q. Have you ever met Larry Flynt in person?

16 A. Many times, yeah.

17 Q. So you say that you've never seen Larry.
18 What did you mean by that?

19 A. Larry wasn't there like Jimmy Flynt was,
20 okay? Jimmy was the workhorse of that district. And
21 then, also, he was -- like I said, he was up in
22 Columbus, Toledo, and Akron. They were both working,
23 you know, together. I never thought that anyone was
24 bigger than the other, other than Larry was the talk
25 horse of the -- you know, he would talk a little bit

1 more.

2 Q. What do you mean by "talk horse"?

3 A. Well, I mean, he would talk to people that
4 would come in, you know, to the nightclub, and then
5 Jimmy would talk to them, too, as well, but whenever
6 something -- you know, Jimmy would come up to me and
7 say, "Listen, we're going to be a little bit busy.
8 We're going to be upstairs, you know, at the Blue
9 Angel Apartments," you know, and I just -- you know,
10 but then -- then Larry started doing his thing, he
11 put himself out in the world more by doing some crazy
12 things, and that's -- but Jimmy didn't. But Jimmy
13 was the workhorse.

14 Q. I want you to identify each time that you
15 were physically in the room with Larry Flynt.

16 A. How many times?

17 Q. Yes.

18 A. When we first started, probably five, six
19 times, seven times maybe, I don't know. It's -- it's
20 very hard.

21 Q. The first year?

22 A. Yeah, the first year.

23 Q. And then let's say the second year.

24 A. The second year, I would see -- I would --
25 second year, I'd see Jimmy more than I would Larry,

1 but then I would see Larry once a month for managers'
2 meetings in Columbus.

3 Q. And when did you start seeing Larry once a
4 month?

5 A. When I became manager.

6 Q. Who else attended those meetings?

7 A. All the other managers from all the
8 nightclubs.

9 Q. And who were they?

10 A. I don't remember their names.

11 Q. How many managers?

12 A. Well, you had, what, five or six, seven
13 nightclubs, so there would probably be five or six or
14 seven people up there.

15 Q. Was Jimmy at those meetings?

16 A. Uh-huh.

17 Q. Is that a yes?

18 A. Yes.

19 Q. And where were those meetings held?

20 A. They were held upstairs at the Columbus
21 Hustler. I'm pretty sure it was upstairs. If it
22 wasn't upstairs, it was in the side room.

23 Q. Who led those meetings?

24 A. I'm sorry?

25 Q. Who led those meetings?

1 A. Larry and Jimmy. They both would ask
2 questions.

3 Q. Regarding the clubs, right?

4 A. Uh-huh.

5 Q. Yes?

6 A. Yes.

7 Q. How long did -- you said you attended
8 monthly meetings. How long did those meetings last?
9 Was this a year or two, or all the way up to your --
10 end of your employment?

11 A. Yeah, except -- yeah, yes.

12 Q. Were those the only times that you came
13 face to face with Larry Flynt?

14 A. After that, after the first year?

15 Q. Yes.

16 A. Yes.

17 Q. And during those times when those meetings
18 were taking place, what businesses was Hustler in?

19 A. You mean as far as --

20 Q. Were they just clubs at that time?

21 A. They were clubs and -- yes, they were
22 clubs, and they also -- I think that they were doing
23 something else, I had no idea, but that's what they
24 were doing --

25 Q. So your --

1 A. -- mostly clubs.

2 Q. Your knowledge of Hustler and your
3 experience with Hustler is limited to the clubs,
4 correct?

5 A. Right. I was there, also -- I've got to
6 say, I was there also with the -- when they started
7 the magazine, too, so --

8 Q. When did the magazine start?

9 A. I think they were kicking it around in
10 '71, '72.

11 Q. Who was kicking it around?

12 A. Jimmy and Larry.

13 Q. How do you know that?

14 A. Because I seen them talk about it all the
15 time. They brought it up to me, and they -- and
16 then, as a matter of fact, Jimmy brought me up a
17 picture, it was light green and white, and it was --
18 if I'm not mistaken, and you can quote me on this, it
19 was a dildo salad.

20 Q. You're going to be quoted on everything,
21 so --

22 A. It was -- it was a salad, you know,
23 cucumbers and dildos sticking out of it.

24 Q. When was this?

25 A. '71, '72, whenever -- whenever they

1 started doing the magazine.

2 Q. Are you referring to a magazine or a
3 newsletter?

4 A. That was a newsletter, actually, yeah,
5 like a one-page, two-page thing.

6 Q. You're not equating that with a magazine,
7 a national magazine, are you?

8 A. I'm not acquainted with it?

9 Q. Equating a newsletter with a national
10 magazine, are you?

11 A. That's what it grew into, yes.

12 Q. What's the basis of that statement?

13 A. Well, they started out as one page, and
14 then they went on -- you know, they went on and they
15 met some photographers, and then they -- then it just
16 got bigger and bigger. You know, like, it went to a
17 five or six page, seven page, then they got -- boom,
18 it shot out.

19 Q. Did you ever meet with those
20 photographers?

21 A. No.

22 Q. The newsletter was distributed to patrons
23 of the club, correct?

24 A. Yes.

25 Q. It wasn't a nationally mailed publication,

1 was it?

2 A. He mailed some out, yeah. They mailed
3 some out, I should say.

4 Q. On a national level?

5 A. Pretty much, because -- I would think
6 they did, because what Larry did and Jimmy did, if
7 I'm not mistaken, they took a wheelbarrow full of
8 money that the girls collected in Dayton, Ohio,
9 because they owed some money to the bank, and they
10 got on that -- they -- Jimmy and Larry wanted to get
11 exposed.

12 And how you get exposed, Jimmy and
13 Larry -- Jimmy took a penny to me and said, "Steve,"
14 he said, "you know how to sell this?" I said, "How?"
15 He said, "Advertise, advertise, advertise, just a
16 penny." He said, "I've got to make that penny into a
17 hundred dollar bill."

18 And then they -- they owed the bank some
19 money in '69, I think it was, and they didn't have
20 the money to pay them. So they went out -- they went
21 out in the streets with girls dressed in high heels,
22 sheer hose, and bikinis, and collected money, and
23 they run it right into the bank. And that's how they
24 started becoming famous, because they --

25 Q. My question was, was the newsletter a

1 national publication at that time, wherever?

2 A. The reason why I brought that up before
3 that was because I think they did send a lot of
4 people out -- you know, they sent -- they sent fliers
5 out everywhere they possibly could.

6 Q. Do you know whether or not it was
7 national?

8 A. No, I do not.

9 Q. You said they owed the money -- the bank
10 money. Who is "they"?

11 A. Jimmy and Larry.

12 Q. How do you know that Jimmy owed money?

13 A. Well, I really don't know that, but --

14 Q. Do you know whether Jimmy ever took out a
15 loan on behalf of Hustler?

16 A. Took out a loan?

17 Q. Yes.

18 A. I have no idea.

19 Q. Do you know whether Jimmy ever guaranteed
20 any loan on behalf of Hustler?

21 A. No, I do not.

22 Q. Do you know whether Jimmy ever invested
23 any personal money into the Hustler business?

24 A. I would have thought so, yes.

25 Q. Do you know that?

1 A. No, I do not know that. I know he signed
2 checks.

3 Q. What checks?

4 A. Checks to make out to, you know -- you
5 know, like, to advertising, the girls' checks.

6 Q. Do you equate the ability to sign a check
7 with investing money into a company?

8 A. No, not really, no.

9 Q. When did your employment with Hustler end?

10 A. It would have been '74, I think.

11 Q. And what was the reason for that?

12 A. Because of a girl.

13 Q. What girl?

14 A. Her name was Victoria Bartholomew. I
15 don't want to bring her in this, but okay. I married
16 her.

17 Q. Why did that cause you to end your
18 employment?

19 A. I was having a child. It was getting
20 rough, my marriage was. I should have never quit.

21 Q. So you quit voluntarily?

22 A. Uh-huh.

23 Q. Yes?

24 A. Yes.

25 Q. Do you remember what month that was?

1 A. No, I do not.

2 Q. Was it the end of '74, middle?

3 A. Probably middle, earlier.

4 Q. Where did you work after that?

5 A. I started being a jeweler again. I went
6 back to being a jeweler. That would have been

7 A. Sauer & Company.

8 Q. Where is that located?

9 A. It was located at Eighth and Broadway.

10 Q. Is it still in business?

11 A. No.

12 Q. Where did you work after that?

13 A. I'm trying to think. I worked at Dino's,
14 downtown Cincinnati.

15 Q. A salesman?

16 A. Uh-huh.

17 Q. How long?

18 A. I worked there for a couple of years.

19 Q. Then where did you work?

20 A. I worked -- I went -- excuse me. I worked
21 at Gidding-Jenny for a little bit, too, and then I --
22 then I started my business in -- I started doing my
23 business in '80, Jewel King Jewelers.

24 Q. In 1980, you said?

25 A. Uh-huh, started in 1980.

1 Q. And is that your own business?

2 A. Yes.

3 Q. Are you the sole shareholder?

4 A. Yes. On that, yeah.

5 Q. As a business owner, have you ever taken a
6 loan out on behalf of your business?

7 A. Yes.

8 Q. Have you personally guaranteed loans for
9 your business?

10 A. Uh-huh.

11 Q. Is that a yes?

12 A. Yes. Excuse me.

13 Q. Is your jewelry store incorporated?

14 A. No.

15 Q. Sole proprietorship?

16 A. Uh-huh.

17 Q. Yes?

18 A. Yes.

19 Q. And how long -- you've been in business
20 since 1980. Has it been the same store since then?

21 A. Yes.

22 Q. That's in Northern Kentucky?

23 A. Yes.

24 Q. How many employees do you have?

25 A. Two.

1 Q. Who are they?

2 A. Part-time.

3 Q. Part-time?

4 A. Uh-huh.

5 Q. Who are they?

6 A. I mean yes. They are Tera Huddleston and
7 Ed Still, S-t-i-l-l.

8 Q. Are either of them related to you?

9 A. No.

10 Q. Do you have military experience?

11 A. No. I had my leg cut off and sewed back
12 on in 1966. I was drafted six days after I had that
13 accident.

14 Q. Have you ever been convicted of a crime,
15 other than a traffic violation?

16 A. No.

17 Q. Do you have any business or have you ever
18 had any business endeavors with Jimmy Flynt since
19 1974?

20 A. No.

21 Q. Do you know who Joe Walsh is?

22 A. Joe Walsh? Yeah. I think fat -- he's fat
23 and had black hair?

24 Q. I only know him now, so --

25 A. The guy -- is he a manager?

1 Q. He's an attorney.

2 A. Attorney. Sounds familiar.

3 Q. Well, I don't want you to think back if it
4 doesn't resonate immediately.

5 Do you know of the newsletter, the
6 Bachelor Beat?

7 A. No.

8 Q. Do you know who held the liquor licenses
9 for the various clubs that you worked in?

10 A. No, I don't.

11 Q. At the time you worked in the Hustler
12 Clubs, did you consider yourself to report to Larry
13 Flynt?

14 A. No.

15 Q. Did you understand that he owned the
16 clubs?

17 A. I understood -- what I -- what I have
18 to say is I understood that they both owned the
19 clubs.

20 Q. And what do you base that understanding
21 on?

22 A. Because of how hard they both worked.

23 Q. Did you ever see any documentation
24 reflecting ownership?

25 A. No.

1 Q. Did you know Bruce David?

2 A. That name sounds familiar, but I don't
3 know him. I can't recall.

4 Q. You talked a bit about how the newsletter
5 turned into a magazine?

6 A. Uh-huh, yes.

7 Q. The newsletter was black-and-white; is
8 that correct?

9 A. It might have been black-and-white at one
10 time, but the one I -- the one I referred to was like
11 a light green and white. I can remember that
12 distinctively.

13 Q. And do you know, tell me what is involved
14 in publishing a magazine?

15 A. No, I don't know. I don't know what's
16 involved, you know, to tell you the truth. I mean, I
17 could -- I could give a pretty good guess, but you
18 don't want to hear that.

19 Q. Well, you said that the newsletter turned
20 into the magazine. What's involved in publishing a
21 national magazine?

22 A. Getting good photographers, learning how
23 to -- you know, just all the printing, printing
24 companies, you know, you talk to who can do this, who
25 can do that. And you need a -- you need somebody to

1 go out and search things, and then -- then getting
2 the girls, which was very simple back then --
3 probably still is. No reflection on women.

4 Q. You don't have any real experience with
5 magazine publication, do you?

6 A. No, I don't.

7 Q. Jimmy's counsel has provided us with a
8 summary of what you're going to testify about in this
9 case. What's the WNR in Dayton? I'm assuming that's
10 a club; is that correct?

11 A. WNR?

12 Q. Yes. I'll just read what I was told.
13 "Steve worked for Jimmy and Larry in the early 1970s
14 in connection with the Cincinnati and Dayton Hustler
15 Clubs, as well as WNR in Dayton." Do you know what
16 WNR is?

17 A. No, I don't.

18 Q. It says you were there when the
19 newsletter/magazine started.

20 We talked a bit about this. What was your
21 role in that newsletter?

22 A. I had no role.

23 Q. What was your role in the magazine?

24 A. No role.

25 Q. It says that you will testify regarding

1 the Hustler Clubs. What do you expect to testify
2 concerning the Hustler Clubs?

3 A. As far as Jimmy Flynt?

4 Q. As far as your -- why you're here.

5 A. He was the workhorse. He -- he did it
6 all. I learned everything from him. I talked to
7 Larry, like I said, once in a while, but Jimmy was
8 the -- the main man. He was the -- he was the head
9 of all heads. Can I state something?

10 Q. Well, if I ask you a question. Unless
11 that's part of your answer.

12 A. Well, what I wanted to say was that not
13 once did I think Larry and Jimmy were not partners.
14 I mean, I never got that inclination at all.

15 Q. Well, what does a partner mean?

16 A. A partner means that you're half -- you're
17 half. You do your half, you do your half, you know,
18 it's 50/50.

19 Q. Does it mean investing personal money?

20 A. That, you know -- you know, partners do --
21 some partners invest more money than -- than the
22 other partner does, but the other partner puts in
23 more brain work.

24 Q. And you're just talking about the clubs,
25 correct?

1 A. Clubs -- the clubs, everything.

2 Q. What's "everything"?

3 A. The -- the magazine.

4 Q. But you weren't -- you had no involvement
5 with the magazine, true?

6 A. I had no involvement with the magazine,
7 but I seen them both working at the magazine, you
8 know.

9 Q. How did you see them working at the
10 magazine?

11 A. I mean, they talked about it. They
12 brought it up. They brought -- they had suitcases --
13 well, not suitcases, but a briefcase, you know,
14 little briefs. They would come in with paperwork and
15 they'd show me -- you know, Jimmy would, and then
16 Althea would bring stuff in. She'd say, "How do you
17 like this picture," you know, this and that. She
18 actually got fired in Columbus and came to Dayton --
19 or the Cincinnati Hustler, and I was told she was
20 fired in Columbus.

21 Q. This was when she was a dancer, correct?

22 A. Yes.

23 Q. And you're talking about the national
24 magazine, when you say "magazine"?

25 A. Uh-huh.

1 Q. Is that a yes?

2 A. Yes.

3 Q. Were you even employed when the national
4 magazine was rolled out?

5 A. Yes, I was.

6 Q. But you had no involvement with it,
7 correct?

8 A. No, not at all.

9 Q. And you've seen no documents reflecting
10 ownership of the magazine, correct?

11 A. Correct, yes.

12 Q. You've seen no documents reflecting
13 ownership of the clubs, correct?

14 A. Correct.

15 Q. What is L.F.P., Inc.?

16 A. Larry Flynt. Larry -- Larry Publishers
17 Magazine or whatever. What did you say?

18 Q. L.F.P., Inc., do you know what that is?

19 A. Larry Flynt Publishing Magazine, yeah,
20 that's what it means.

21 Q. What is it?

22 A. It's a magazine.

23 Q. Is it a corporation?

24 A. It doesn't sound like it. Like I said, I
25 don't know. I have no idea.

1 Q. Did you ever get a paycheck from L.F.P.,
2 Inc.?

3 A. No.

4 Q. Are you aware that Hustler is in the video
5 business?

6 A. Yes.

7 Q. How did you become aware of that?

8 A. People would bring them to my store, give
9 them to me.

10 Q. Do you know what entity carries out the
11 video business for Hustler?

12 A. No, I don't.

13 Q. What other businesses are you familiar
14 with that Hustler is engaged in? When I say,
15 "Hustler," I'm just using that -- the widely known
16 name, not necessarily the --

17 A. Chic. Chic Magazine.

18 Q. When was that?

19 A. That had to be in the '70s.

20 Q. That's not still published, is it?

21 A. I don't know. I do not know.

22 Q. Any other businesses that are transacted
23 by Hustler?

24 A. I thought there was another one, but I
25 don't know what it is for sure.

1 Q. Another magazine?

2 A. Yes.

3 Q. Any other types of businesses?

4 A. Well, they are the stores, you know, like
5 your lingerie and stuff. I must say, though, that --
6 I've got to say that Jimmy Flynt, in the foray of
7 Hustler, told this to a photographer, that he would
8 pay him good money to come over from them -- from
9 Penthouse.

10 Q. When was this?

11 A. In the '70s. I don't know if it was '71,
12 '2, or '3, or whatever.

13 Q. Have you ever heard of Flynt Distributing
14 Company?

15 A. I think I have, yes.

16 Q. How did you hear about Flynt Distributing
17 Company?

18 A. I think I read it in a magazine, one of
19 the Hustler magazines.

20 Q. And what is Flynt Distributing Company, or
21 what was it?

22 A. I have no idea.

23 Q. Do you know whether, during the time that
24 you worked for the Hustler Clubs, Jimmy ever shared
25 in the profits of those businesses?

1 A. Did he ever share in the profits?

2 Q. Yes.

3 A. When I would count the money out, I would
4 take it to the night deposit or I would give it to
5 Jimmy whenever he was in town. Yes, I think that he
6 shared the profits.

7 Q. Do you know that?

8 A. No, I don't know that for sure, no.

9 Q. Do you know whether Jimmy shared in the
10 losses of those businesses?

11 A. I would think so, yes.

12 Q. Do you know that?

13 A. No. I can say this, that Jimmy never had
14 much money on him at all times. He never carried a
15 lot of money on him.

16 Q. Did you ever see a partnership agreement
17 between Jimmy and Larry Flynt?

18 A. No.

19 Q. Did you ever see a stock certificate?

20 A. No.

21 Q. When I say -- let me finish -- a stock
22 certificate of L.F.P., Inc.?

23 A. No.

24 Q. A stock certificate of Hustler Magazine,
25 Inc.?

1 A. No.

2 Q. You never saw any stock certificates
3 related to the clubs?

4 A. No.

5 Q. What, if anything, did you do to prepare
6 for your deposition today?

7 A. Nothing.

8 Q. Did you speak with Jimmy?

9 A. No.

10 Q. When is the last time you spoke with
11 Jimmy?

12 A. I think it has been about -- maybe a week
13 ago.

14 Q. What did you discuss?

15 A. I asked him, did he send somebody over to
16 my store to hand me some money?

17 Q. What did he say?

18 A. He just said -- he said, "I don't know
19 what that is," he said, "but," he said, "go ahead and
20 cash it in."

21 Q. When you say, "money," was it a check for
22 your attendance here?

23 A. Yes.

24 Q. What else did you discuss?

25 A. That was it.

1 Q. When did you have discussions before that?

2 A. I would call him once in a while, see how
3 he's doing, and whenever he -- well, I'm in
4 Louisiana, I'm opening up this club, you know, it's
5 -- I'm -- or I'm in LA or Vegas -- not Vegas, but LA
6 or something like -- you know, and he would be -- he
7 would be working.

8 Q. Other than regarding the witness fee
9 check, have you had any discussions about this
10 litigation with Jimmy?

11 A. No.

12 Q. What is your understanding of the claims
13 in this case?

14 A. My understanding is that evidently they're
15 trying to -- Larry is trying to say, or whatever, is
16 that they're not partners.

17 Q. And where did you get that information?

18 A. Reading -- hearing about it, you know,
19 as -- everybody has been -- everybody tells me about
20 it because they -- I'm really famous because I worked
21 for the Flynt brothers, okay? When I say, "famous,"
22 I'm just -- people always bring it up to me. They
23 said, you know, "Them guys are really fighting and
24 feuding now." And I said, "Really?"

25 Q. You never heard about the lawsuit from

1 Jimmy?

2 A. I did about -- the only thing I know about
3 Jimmy's lawsuit is that the -- his sons are doing
4 something, they want to publish something, but I had
5 no idea about a lawsuit from Jimmy, no.

6 Q. Who, other than people talking about it
7 with you -- have you spoken about the lawsuit with
8 Jimmy's attorneys?

9 A. No.

10 Q. When did you first learn that you would be
11 a witness in this case?

12 A. About two or three weeks ago, maybe.

13 Q. And who contacted you?

14 A. Carrie.

15 Q. And how did she get your information?

16 A. I don't know. I don't know.

17 Q. And what did you discuss with her?

18 A. Well, it was about -- she just said that,
19 you know, there's some things coming up and -- she
20 didn't -- you know, she didn't elaborate the full
21 extent of it.

22 Q. What did you say to her?

23 A. I said yes, I would -- I would testify.

24 Q. So did she ask you to testify?

25 A. She asked me if I would, yes. She said,

1 would I? I mean, would I be considering it?

2 Q. And did she tell you what you'd be
3 testifying about?

4 A. Just what I did, just -- she said -- I'll
5 quote her, she said, "Just be natural and tell the
6 truth."

7 Q. But did she ask you any questions?

8 A. No.

9 Q. So she called you and asked you if you
10 would be a witness, and told you to tell the truth;
11 is that it?

12 A. Yes.

13 Q. Did you tell her anything?

14 A. I told her a few things, yes.

15 Q. What were those?

16 A. That I was -- I worked for Jimmy and Larry
17 Flynt, and, you know, I -- and I -- basically the
18 same thing I told you, that I never thought they were
19 not partners, because they -- everything they did was
20 together.

21 Q. When you say, "everything they did was
22 together," what do you mean by that?

23 A. I mean, that was the whole outlook of the
24 club. Not -- not one person in that nightclub ever
25 thought they were, you know -- well, here's Larry,

1 he's the big man of the place, and Jimmy is just a
2 small fry. It was always, you know --

3 Q. Did you speak with anyone else?

4 A. No.

5 Q. Did you read any of the pleadings filed in
6 this case?

7 A. No.

8 Q. When is the last time you discussed
9 business with Larry Flynt?

10 A. That would have been in the '70s.

11 Q. And you never discussed the ownership of
12 the Hustler business with Larry Flynt, correct?

13 A. No.

14 Q. When was the last time that you discussed
15 the Hustler business with Jimmy Flynt?

16 A. Never, other than him opening up the
17 clubs, starting new clubs and everything.

18 Q. That would be in the '70s?

19 A. No, it would be -- when I say, "clubs,"
20 stores today, you know.

21 Q. And when was that?

22 A. The last couple, three or four years.

23 Actually, ever since they started doing more -- you
24 know, the one downtown here in Cincinnati, the one in
25 Louisiana.

1 Q. What kind of discussions did you have with
2 Jimmy about the stores?

3 A. He just said, "I'm down here opening up
4 another store," or "I'm over here opening up a
5 store," you know.

6 Q. Jimmy didn't claim to own those stores,
7 did he?

8 A. Never did, no.

9 Q. Other than the stores, did Jimmy Flynt
10 ever discuss any of the Hustler business with you?

11 A. No.

12 Q. Did you ever hear of Mini Clubs of
13 America?

14 A. Yes.

15 Q. What's that?

16 A. I don't know what it is, but I've heard of
17 it.

18 Q. And you mentioned Althea Flynt. Did you
19 know her personally?

20 A. Not until she came in the door.

21 Q. And when was that?

22 A. That would have been '72 or '3 -- '73, I
23 think.

24 Q. And she was a dancer?

25 A. Yes. And her first words were, "Where is

1 Jimmy at?" Jimmy knew her before I did. And then I
2 said, "He is upstairs." She said, "I want to see
3 him." I said, "You can't see him now, he's
4 sleeping." She said, "Give me -- get me up there.
5 Give me the keys. I want to go upstairs." And I
6 said, "I can't." And then finally I called Jimmy,
7 and he said, "Tell her to hang on." I can remember
8 them words. The reason why I know all that is
9 because ever since she came down here, she really
10 helped the club out tremendously.

11 Q. Did Jimmy Flynt ever tell you about an
12 agreement that he signed with Larry and Althea
13 Flynt --

14 A. No.

15 Q. -- in 1978?

16 A. No.

17 Q. Did Jimmy ever tell you or did you ever
18 learn about the conservatorship that Jimmy sought
19 with respect to Larry Flynt in the '80s?

20 A. No.

21 Q. Do you know what a conservatorship is?

22 A. Somewhat, but no.

23 Q. Were you aware that Jimmy Flynt was
24 terminated by Larry Flynt in the '80s and was
25 not employed by any Hustler business for several

1 years?

2 MS. MASTERS: Objection. That's a
3 misrepresentation.

4 A. I never knew that, no.

5 BY MS. LENHART:

6 Q. Are you aware that L.F.P., Inc. and Larry
7 Flynt sued Jimmy Flynt in the '80s for stealing
8 money?

9 MS. MASTERS: Objection to the extent it's
10 a misrepresentation.

11 A. No.

12 BY MS. LENHART:

13 Q. Are you aware that Jimmy Flynt claimed,
14 under oath, on a number of occasions that he didn't
15 own any stock or shares of L.F.P., Inc.?

16 A. No.

17 Q. Did you ever discuss with Jimmy Flynt his
18 marriage or divorce with Bernice Flynt?

19 A. No.

20 Q. Are you aware that in his deposition in
21 connection with the divorce, which never happened,
22 that Jimmy said under oath that he was not an owner
23 of the Hustler businesses and merely worked for Larry
24 Flynt?

25 MS. MASTERS: Objection.

1 A. No.

2 BY MS. LENHART:

3 Q. Have you ever had a discussion with Dustin
4 Flynt?

5 A. Just to make him some jewelry.

6 Q. Nothing about the lawsuit?

7 A. No.

8 Q. Have you had any discussions with Jimmy,
9 II, about the lawsuit?

10 A. No.

11 Q. Do you know who Allie Jackson is?

12 A. Yes.

13 Q. Who is that?

14 A. He's my CPA.

15 Q. How long has he been your CPA?

16 A. Probably -- gee-whiz, I'd say 20 years, I
17 would say. I'm just guessing.

18 Q. So does he do accounting and bookkeeping
19 work for your jewelry store?

20 A. Uh-huh.

21 Q. And --

22 A. Yes.

23 Q. And personally?

24 A. Yes.

25 Q. Do you understand that he's also the

1 accountant for Jimmy Flynt and Hustler Cincinnati,
2 Inc.?

3 A. Yes.

4 Q. Did either of you make the introduction to
5 the other of Mr. Jackson, or is it just coincidence
6 that you both have the same accountant?

7 A. I think -- well, I told -- I think I did
8 tell Jimmy how good he was, yes.

9 Q. So you had hired him before Jimmy?

10 A. Yes.

11 Q. Have you ever heard Larry Flynt refer to
12 Jimmy Flynt as his partner?

13 A. No.

14 Q. Have you ever heard Jimmy Flynt identify
15 himself as Larry Flynt's partner?

16 A. No.

17 Q. Have you ever heard Jimmy Flynt state that
18 he's an owner of the Hustler businesses?

19 A. I would say indirectly, like if somebody
20 said -- you know, if we were -- we were out drinking
21 or something, I would -- I would think that he
22 would say, yeah, I own the Hustler, you know, in
23 Cincinnati at that time, and we would be in Newport,
24 you know. We would go out and drink together once in
25 a while.

1 Q. Now, you said you would think he would.
2 Do you know whether he did or not?

3 A. I can't say directly, but, you know,
4 people would -- you know, we'd be in bars and
5 nightclubs, and they would say, "Jimmy Flynt is the
6 owner of Hustler Magazine -- or Hustler Nightclubs
7 there in Cincinnati." "Oh, really?" "Yeah,"
8 blah-blah-blah.

9 Q. But you never -- you don't have a specific
10 recollection of Jimmy stating that?

11 A. No.

12 Q. Do you consider Jimmy Flynt to be a
13 friend?

14 A. Yes.

15 Q. How long have you considered him to be
16 your friend?

17 A. Since day one. That was when I first got
18 hired.

19 Q. Since '74, when you left, can you estimate
20 how many times you've sort of talked since then, up
21 until the present?

22 A. Probably 100.

23 Q. Have -- and you say you've gone out
24 together. Do you continue to have a social
25 relationship?

1 A. Once in a while, yes.

2 Q. Has he been to your home?

3 A. No.

4 Q. Have you been to his?

5 A. No -- well, no.

6 Q. When I use the term "L.F.P. IP, LLC," do
7 you know what that is?

8 A. Yeah, it's -- LLC is incorporated.

9 Q. Do you know what "L.F.P. IP" stands for?

10 A. No, I don't -- well, yes and no. If I had
11 it in front of me, I could word it out.

12 Q. Do you know what HH-Entertainment, Inc.
13 is?

14 A. No.

15 Q. Have you ever heard the term, the "Larry
16 Flynt Revokable Trust"?

17 A. No.

18 Q. Have you ever seen any documents
19 reflecting the Larry Flynt Revocable Trust?

20 A. No.

21 Q. Do you know what L.F.P. Video is?

22 A. I would think Video is the movies.

23 Q. Do you know what L.F.P. Video, Inc. is?

24 A. No. Incorporated.

25 Q. Do you know what Majestic Properties is?

1 A. No.

2 Q. Do you know what El Dorado Enterprises is?

3 A. No.

4 Q. Do you know what Elm 411, LLC is?

5 A. No.

6 Q. Do you know what HH-Monroe is?

7 A. You're talking about the club or the store
8 up in Monroe, Ohio? Yeah, I know what it is, but
9 I've never been there.

10 Q. Do you know who owns it?

11 A. I thought Jimmy and Larry did.

12 Q. Do you know?

13 A. No.

14 Q. Are you aware that there is a Hustler
15 Casino?

16 A. In Vegas or someplace, or LA?

17 Q. In California?

18 A. Yes, I'm -- I'm aware, but I don't know
19 where it's at.

20 Q. Sitting here today, you don't know
21 whether Jimmy Flynt owns any portion of L.F.P., Inc.,
22 do you?

23 A. I don't know, no, ma'am.

24 Q. Sitting here today, you don't know whether
25 Jimmy owns any of -- any portion, shares, or any

1 partnership interest in the Hustler businesses, do
2 you?

3 A. I don't know, but I would think that he
4 does.

5 MS. LENHART: If I could just have five
6 minutes or so.

7 (Mr. Hojnoski exits the room.)

8 (A recess was taken from 2:19 to 2:22.)

9 MS. LENHART: If you don't mind reading
10 back the last question.

11 (The record was read.)

12 BY MS. LENHART:

13 Q. You added that you would think that he
14 does, but you don't know for a fact, correct?

15 A. No.

16 Q. Are you aware that since 1978, either
17 Larry Flynt or the Larry Flynt Revocable Trust has
18 been the sole shareholder of L.F.P., Inc.?

19 A. I had no idea, no.

20 Q. And since that time, Jimmy has never been
21 an owner or shareholder of L.F.P., Inc.?

22 MS. MASTERS: Objection.

23 A. I don't know that.

24 BY MS. LENHART:

25 Q. Are you aware that since at least 1978, no

1 partnership returns have ever been prepared for
2 L.F.P. or any of its affiliates that have identified
3 Jimmy Flynt as a partner or owner?

4 A. I didn't know that either.

5 Q. Are you aware that Larry Flynt
6 consistently claims L.F.P., Inc.'s profits and losses
7 on his personal tax returns?

8 A. No.

9 Q. Are you aware that since at least
10 1978, Larry Flynt has made many millions of dollars
11 in contributions to L.F.P. and other Hustler
12 businesses, and Jimmy has not made any such
13 contributions?

14 MS. MASTERS: Objection.

15 A. I had no idea.

16 BY MS. LENHART:

17 Q. Are you aware that since at least 1978,
18 Larry Flynt has personally guaranteed and/or pledged
19 collateral for numerous loans for the benefit of
20 L.F.P. and other Hustler businesses?

21 A. I don't know.

22 Q. Are you aware that L.F.P., Inc.'s and
23 other Hustler business accountants never heard of
24 Jimmy Flynt prior to this litigation?

25 A. I can say that's ridiculous. No, I didn't

1 know that.

2 Q. Prior to the filing of this lawsuit, Jimmy
3 Flynt never claimed to be a partner with Larry Flynt
4 to you, did he?

5 A. No.

6 Q. And he never claimed to be an owner of the
7 Hustler businesses to you, did he?

8 A. He didn't have to. I assumed it. He has
9 never bragged about -- he doesn't brag about those
10 kind of things.

11 Q. So he has never specifically said that to
12 you, correct?

13 A. He has always -- he has always mentioned
14 the word "we," you know. He was always around when
15 Larry was going to court, pushing him around in the
16 wheelchair, or he was there at court hearings. I
17 remember seeing his -- flashes of his face on
18 television all the time, Larry and Jimmy at all
19 times.

20 Q. Did Jimmy Flynt ever specifically say to
21 you that he was an owner of any of the Hustler
22 businesses?

23 A. No.

24 MS. LENHART: I have no other questions.

25 THE WITNESS: Okay.

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MS. MASTERS: I don't have any questions.

MS. LENHART: Okay.

CHARLES STEVEN CHUKE

- - -

DEPOSITION CONCLUDED AT 2:48 P.M.

- - -

C E R T I F I C A T E

STATE OF OHIO :
 : SS
 COUNTY OF BUTLER :

I, Wendy L. Raymer, RPR, CRR, the undersigned,
 a duly qualified and commissioned notary public
 within and for the State of Ohio, do hereby certify
 that before the giving of his aforesaid deposition,
 CHARLES STEVEN CHUKE was by me first duly sworn to
 depose the truth, the whole truth and nothing but the
 truth; that the foregoing is the deposition given at
 said time and place by CHARLES STEVEN CHUKE; that
 said deposition was taken in all respects pursuant to
 stipulations of counsel; that I am neither a relative
 of nor employee of any of the parties or their
 counsel, and have no interest whatever in the result
 of the action; that I am not, nor is the court
 reporting firm with which I am affiliated, under a
 contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I hereunto set my hand and
 official seal of office at Hamilton, Ohio, this 13th
 day of January, 2011.

My commission expires:
 December 6, 2011.

Wendy L. Raymer
 S/Wendy L. Raymer, RPR, CRR
 Notary Public - State of Ohio